

Fill in this information to identify the case:

United States Bankruptcy Court for the:

_____ District of **Puerto Rico**
(State)

Case number (if known): _____ Chapter **11**

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name

E.R.G. Incorporado

2. All other names debtor used in the last 8 years

DBA Motel Salinas

Include any assumed names, trade names, and *doing business* as names

3. Debtor's federal Employer Identification Number (EIN)

6 6 - 0 4 8 2 1 7 9

4. Debtor's address

Principal place of business

Carr 3 KM 153.4 Aguirre Ward

Number Street

Salinas PR 00751

City State ZIP Code

Salinas

County

Mailing address, if different from principal place of business

PO Box 547

Number Street

P.O. Box

Aguirre PR 00704

City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL)

Debtor E.R.G. Incorporado Case number (if known) _____
Name

6. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify: _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

7 2 1 1



8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. *Check all that apply:*

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725 (amount subject to adjustment on 4/01/25 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and it chooses to proceed under Subchapter V of Chapter 11.
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

- ☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY
District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

Debtor E.R.G. Incorporated Case number (if known) _____
Name

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes. Debtor _____ Relationship _____

District _____ When _____

MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Case number, if known _____

11. Why is the case filed in this district?

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? _____

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property?

Number _____ Street _____

City _____ State ZIP Code _____

Is the property insured?

☐ No

☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☒ Funds will be available for distribution to unsecured creditors.

☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5,001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

Debtor E.R.G. Incorporado Case number (if known) _____
Name

- | | | | |
|----------------------|---|--|--|
| 15. Estimated assets | <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| | <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| | <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| | <input checked="" type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |
-
- | | | | |
|---------------------------|--|--|--|
| 16. Estimated liabilities | <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| | <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| | <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| | <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 05 03 2022
MM / DD / YYYY

☒ Modesto Rivera Guzman
Signature of authorized representative of debtor

Modesto Rivera Guzman
Printed name

Title President

18. Signature of attorney

☒ Alexis A. Betancourt Vincenty
Signature of attorney for debtor

Date 05 03 2022
MM / DD / YYYY

Alexis A. Betancourt Vincenty
Printed name

Lugo Mender Group, LLC.
Firm name

100 Carr. 165 Suite 501
Number Street

Guaynabo
City

(787) 707-0404
Contact phone

PR 00968-8052
State ZIP Code

a_betancourt@lugomender.com
Email address

301304 PR
Bar number

State

E.R.G. Inc.

CORPORATE RESOLUTION

E.R.G. Inc., a corporation constituted per the laws and within the Commonwealth of Puerto Rico, by this certify:

At the meeting celebrated on May 3, 2022, the Board of Directors of E.R.G. Inc. agreed to file a bankruptcy petition under the provisions of Chapter 11 of the Bankruptcy Code.

That we have been informed and counseled as of the meaning of Chapter 11 of the Bankruptcy Code.

At the meeting celebrated on the same date, the filing for bankruptcy under Chapter 11 of the Federal Bankruptcy Law was unanimously approved by officers and stockholders.

That it was also agreed that the services of Attorney Wigberto Lugo-Mender and Alexis Betancourt-Vincenty of Lugo Mender Group LLC would be retained for such purposes.

That for the best interest of the company we authorize to file a petition for relief under Chapter 11 of the Bankruptcy Code at the Bankruptcy Court for the District of Puerto Rico. Also, we authorize Mr. Modesto Rivera-Guzmán, Esq., President of the Corporation execute such petition and to represent the corporation at this bankruptcy proceeding, including the authority to contract services required or to be performed in this matter.

I sign this Resolution today the 3rd day of May 2022.


Secretary

(Corporate Seal)



Fill in this information to identify the case:

Debtor name E.R.G. Incorporado

United States Bankruptcy Court for the: DISTRICT OF PUERTO RICO

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ Schedule A/B: Assets-Real and Personal Property (Official Form 206A/B)
- ☐ Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)
- ☐ Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)
- ☐ Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)
- ☐ Schedule H: Codebtors (Official Form 206H)
- ☐ Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum)
- ☐ Amended Schedule
- ☒ Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 3, 2022

x

Modesto Rivera Guzman
Signature of individual signing on behalf of debtor

Modesto Rivera Guzman
Printed name

President
Position or relationship to debtor

Fill in this information to identify the case:

Debtor name E.R.G. Incorporado
 United States Bankruptcy Court for the: DISTRICT OF PUERTO RICO
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Adalberto Torres Santiago PO Box 518 Las Piedras, PR 00771		Vacations				\$204.00
Aida Lugo PO Box 518 Las Piedras, PR 00771		Vacations				\$204.00
Airan L Rodriguez Laboy PO Box 518 Las Piedras, PR 00771		Vacations				\$204.00
CRIM PO Box 195387 San Juan, PR 00936-5387	www.crimpr.net	Land of 3.206 cdas located at Aguirre Ward, Salinas, PR with real properties used as "Motel" (Land #2008)		\$331,697.54	\$897,698.00	\$156,260.81
Eveliz Cora Feliciano Urb Ciudad Universitaria Calle 1 EE 3 Guayama, PR 00784		Vacations				\$102.00
Heidy Torres Diaz Comundiad San Martin Calle K# 96 Arroyo, PR 00714		Vacations				\$68.00
Katy Suarez Hernandez HC-01 4853 Las Mareas Salinas, PR 00751		Vacations				\$408.00

Debtor E.R.G. Incorporado
Name

Case number (if known) _____

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Nelson Cruz Rodriguez Urb Las Margaritas A-2 Salinas, PR 00751		Vacations				\$408.00
OSP Consortium LLC PO Box 190085 San Juan, PR 00919		Land of 3.206 cdas located at Aguirre Ward, Salinas, PR with real properties used as "Motel" (Land #2008)		\$1,893,833.00	\$897,698.00	\$722,261.27
PR Department of Labor PO Box 21361 San Juan, PR 00928-1361		Unemployment \$3,752.04 Disablity \$567.27				\$4,319.31
PR Department of Treasury Bankruptcy Section 424 PO Box 9024140 San Juan, PR 00902-4140		Salary Withheld Q4 2012; Q1 2013; Q3 2019; Q2 2021; Q2 2014 & 2017 & Q1 2018				\$12,746.87
State Insurance Fund Corp. PO Box 365028 San Juan, PR 00936-5028		Workmens Insurance				\$6,083.76
Zedthmara Gonzalez Gonzalez Barrio Las Marias Calle 2 AL Final Salinas, PR 00751		Vacations				\$170.00

United States Bankruptcy Court
District of Puerto Rico

In re E.R.G. Incorporado

Debtor(s)

Case No.

Chapter

11

LIST OF EQUITY SECURITY HOLDERS

Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Aida L Lugo Diaz PO Box 547 Aguirre, PR 00704	Common	50%	Shareholder
Modesto Rivera Guzman PO Box 547 Aguirre, PR 00704	Common	50%	Shareholder

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date May 3, 2022

Signature


Modesto Rivera Guzman

*Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court
District of Puerto Rico**

In re E.R.G. Incorporado

Debtor(s)

Case No.
Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: May 3, 2022



Modesto Rivera Guzman/President
Signer/Title

E.R.G. INCORPORADO
PO BOX 547
AGUIRRE, PR 00704

CRIM
PO BOX 195387
SAN JUAN, PR 00936-5387

NELSON CRUZ RODRIGUEZ
URB LAS MARGARITAS A-2
SALINAS, PR 00751

ALEXIS A. BETANCOURT VINCENTY
LUGO MENDER GROUP, LLC
100 CARR 165 SUITE 501
GUAYNABO, PR 00968-8052

DEPARTAMENTO DE RECURSOS NATURALES
SAN JOSE INDUSTRIAL PARK
1375 AVE PONCE DE LEON
SAN JUAN, PR 00926

BASES CONSORTIUM LLC
PO BOX 190085
SAN JUAN, PR 00919

ADALBERTO TORRES SANTIAGO
PO BOX 518
LAS PIEDRAS, PR 00771

EVELIZ CORA FELICIANO
URB CIUDAD UNIVERSITARIA CALLE 1
GUAYAMA, PR 00784

PR DEPARMENT OF LABOR
PO BOX 21361
SAN JUAN, PR 00928-1361

ADRIAN J HILERA PSC
880 BOULEVARD TITO CASTRO
ONE PLAZA SUITE 102
PONCE, PR 00716

HEIDY TORRES DIAZ
COMUNDIAD SAN MARTIN CALLE K# 96
ARROYO, PR 00714

PR DEPARTMENT OF TREASURY
BANKRUPTCY SECTION 424
PO BOX 9024140
SAN JUAN, PR 00902-4140

AIDA L LUGO DIAZ
PO BOX 547
AGUIRRE, PR 00704

INTERNAL REVENUE SERVICES
PO BOX 7346
PHILADELPHIA, PA 19101-7346

PR TOURISM CORPORATION
PO BOX 9023960
SAN JUAN, PR 00902-3960

AIDA LUGO
PO BOX 518
LAS PIEDRAS, PR 00771

JOSE LUIS MARTINEZ SARIOGO ESQ
880 BOULEVARD TITO CASTRO
ONE PLAZA SUITE 102
PONCE, PR 00716

STATE INSURANCE FUND CORP
PO BOX 365028
SAN JUAN, PR 00936-5028

AIRAN L RODRIGUEZ LABOY
PO BOX 518
LAS PIEDRAS, PR 00771

KATY SUAREZ HERNANDEZ
HC-01 4853 LAS MAREAS
SALINAS, PR 00751

ZEDTHMARA GONZALEZ GONZAL
BARRIO LAS MARIAS CALLE 2 AFI
SALINAS, PR 00751

AUTORIDAD ACUEDUCTOS Y ALCANTARILLADO
PO BOX 70101
SAN JUAN, PR 00936-8101

RODOLFO RIVERA GUZMAN
PO BOX 547
AGUIRRE, PR 00704

CONDADO 2 LLC
1519 AVE PONCE DE LEON
SUITE 311
SAN JUAN, PR 00908

MUNICIPALITY OF SALINAS
PO BOX 1149
SALINAS, PR 00751

United States Bankruptcy Court
District of Puerto Rico

In re E.R.G. Incorporado

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for E.R.G. Incorporado in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [Check if applicable]

May 3, 2022

Date



Alexis A. Betancourt Vincenty 301304

Signature of Attorney or Litigant

Counsel for E.R.G. Incorporado

Lugo Mender Group, LLC

100 Carr 165 Suite 501

Guaynabo, PR 00968-8052

(787) 707-0404

B2030 (Form 2030) (12/15)

United States Bankruptcy Court
District of Puerto Rico

In re E.R.G., INC.

Debtor(s)

Case No.

Chapter 11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)


1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:
- | | | |
|---|----|----------|
| For legal services, I have agreed to accept | \$ | 4,000.00 |
| Prior to the filing of this statement I have received | \$ | 4,000.00 |
| Balance Due | \$ | 0.00 |
2. The source of the compensation paid to me was:
☒ Debtor ☐ Other (specify):
3. The source of compensation to be paid to me is:
☒ Debtor ☐ Other (specify):
4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
 - Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
 - [Other provisions as needed]
Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of reaffirmation agreements and applications as needed; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods.
6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:
Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

May 3, 2022

Date


Alexis A. Betancourt Vincenty 301304

Signature of Attorney

Lugo Mender Group, LLC

100 Carr 165 Suite 501

Guaynabo, PR 00968-8052

(787) 707-0404

Name of law firm